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Attorney for: Secured Creditor,  
Deutsche Bank National Trust Company , as Trustee in trust for the benefit of the  
Certificateholders for Ameriquest Mortgage Securities Trust 2005-R9, Asset-Backed Pass-  
Through Certificates, Series 2005-R9, its assignees and/or successors and the servicing agent  
American Home Mortgage Servicing, Inc

UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF CALIFORNIA  
OAKLAND DIVISION

In re:	) Case No. 09-45401 N
	)
Gregory Williams,	) Chapter 13
Margunn Williams,	)
	) RS No. KMR-5149
	)
	) <b>MOTION FOR RELIEF FROM</b>
	) <b>AUTOMATIC STAY AND</b>
Debtors.	)
	) Date: 06/16/2010
	) Time: 10:30 a.m.
	) Ctrm: 220
	) Place: 1300 Clay Street
	) Oakland, CA
	)
	)
	)

Deutsche Bank National Trust Company , as Trustee in trust for the benefit of the  
Certificateholders for Ameriquest Mortgage Securities Trust 2005-R9, Asset-Backed Pass-  
Through Certificates, Series 2005-R9, its assignees and/or successors in interest (“Secured  
Creditor” or “Movant” herein), moves this Court for an Order Terminating the Automatic Stay of  
11 U.S.C. § 362 as to moving party (and the Trustee under the Deed of Trust securing moving

1 party's claim) so that moving party and its Trustee may commence and continue all acts  
2 necessary to foreclose under the Deed of Trust secured by the Debtors' property, commonly  
3 known as 5027 Vesteny Court, Antioch, CA 94531, ("Property" herein).

4 As stated in the attached Declaration, the Debtors have failed to make 3 post-petition  
5 payments (3/10 through 5/10).

6 Based on the foregoing, Secured Creditor alleges that Secured Creditor is not adequately  
7 protected. Secured Creditor is not receiving regular monthly payments, and is unfairly delayed  
8 from proceeding with the foreclosure of the subject Property. Accordingly, relief from the  
9 automatic stay should be granted to Secured Creditor pursuant to 11 U.S.C. § 362(d)(1) and (2).

10 WHEREFORE, Secured Creditor prays for judgment as follows:

- 11 1. For an Order granting relief from the automatic stay, permitting Secured Creditor to  
12 proceed with the foreclosure under Secured Creditor's Deed of Trust, and to sell the  
13 subject Property at a trustee's sale under the terms of the Deed of Trust to proceed  
14 with any and all post foreclosure sale remedies, including the unlawful detainer action  
15 or any other action necessary to obtain possession of the Property.
- 16 2. For an Order that the fourteen day stay described by Bankruptcy Rule 4001(a)(3) be  
17 waived.
- 18 3. For an Order modifying the automatic stay to protect Secured Creditor's interest, as  
19 the Court deems proper.
- 20 4. For attorneys' fees and costs incurred herein.
- 21 5. For such other relief as the Court deems proper.

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1           6. The Moving Party, at its option, may offer, provide and enter into any potential  
2           forbearance agreement, loan modification, refinance agreement or other loan  
3           workout/loss mitigation agreement as allowed by state law. The Movant may contact  
4           the Debtor via telephone or written correspondence to offer such an agreement. Any  
5           such agreement shall be non-recourse unless included in a reaffirmation agreement.  
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7           Dated: May 27, 2010

              McCarthy & Holthus, LLP

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9           By: /s/ Kelly M. Raftery  
              Kelly M. Raftery, Esq.  
10           Attorneys for Secured Creditor  
11           Deutsche Bank National Trust Company, as  
12           Trustee in trust for the benefit of the  
13           Certificateholders for Ameriquest Mortgage  
14           Securities Trust 2005-R9, Asset-Backed Pass-  
15           Through Certificates, Series 2005-R9, its  
16           assignees and/or successors and the servicing  
17           agent American Home Mortgage Servicing, Inc  
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